

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **DISMISSAL AND NOTICE OF RIGHTS** was served upon all parties to this action by email and depositing the same in a postpaid wrapper in an official depository under the exclusive care and custody of the United States Postal Service, Burgaw, North Carolina, and addressed to:

COUNTY OF CLEVELAND

ATTN: Attorney Martha Thompson

Post Office Box 1210

Shelby, North Carolina 28151

Telephone: (704) 484-4900

Fax: (919) 829-1583

Email: mthompson@shpw.com

martha.thompson@clevelandcountync.gov

Staff Attorney for Cleveland County

FILED
ASHEVILLE, N.C.

JAN 19 2021

U.S. DISTRICT COURT
W. DIST. OF N.C.

CLEVELAND COUNTY DEPARTMENT OF SOCIAL SERVICES

ATTN: Katie Swanson

130 South Post Rd.

Shelby, North Carolina 28150

Telephone: (704) 484-4900

Fax: (919) 829-1583

Social Services Director for Cleveland County

CLEVELAND COUNTY BOARD OF COMMISSIONS

ATTN: Doug Bridges--Chairman

Post Office Box 1210

Shelby, North Carolina 28151

Telephone: (704) 484-4900

Fax: (919) 829-1583

Doug Bridges

1055 Hunter Valley Rd.

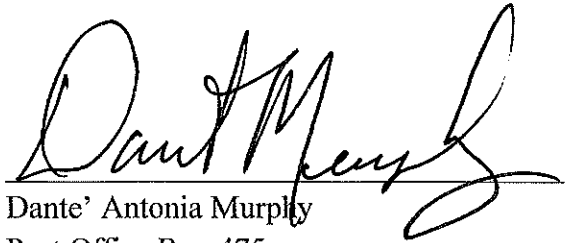
Shelby, North Carolina 28150

Email: doug.bridges@clevelandcounty.com

KATIE SWANSON
130 South Post Rd.
Shelby, NC 28150

State Courier #: 06-52-03

This the 14th day of January, 2021

A handwritten signature in black ink, reading "Dante' Antonia Murphy". The signature is written in a cursive style with a horizontal line underneath the name.

Dante' Antonia Murphy
Post Office Box 475
Burgaw, NC 28425
Email: dntmrphy@gmail.com
Pro Se Plaintiff



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Charlotte District Office

129 West Trade Street, Suite 400
Charlotte, NC 28202
Intake Information Group: 800-669-4000
Intake Information Group TTY: 800-669-6820
Charlotte Status Line: (866) 408-8075
Direct Dial: (704) 344-6686
TTY (704) 344-6684
FAX (704) 954-6410
Website: www.eeoc.gov

September 30, 2020

FILED
ASHEVILLE, N.C.

JAN 19 2021

Mr. Dante' Murphy
Po Box 475
Burgaw, NC 28425

U.S. DISTRICT COURT
W. DIST. OF N.C.

Re: Murphy vs. CLEVELAND COUNTY DEPARTMENT OF SOCIAL SERVICES
EEOC Charge Number: 430-2019-02403C

Dear Mr. Murphy:

We have completed your request for a Substantial Weight Review of the determination issued by the North Carolina Office of Administrative Hearings (NCOAH) for the above referenced charge. The Substantial Weight Review involves a thorough review of the investigative file to determine whether we agree with the findings made by the NCOAH.

We regret your dissatisfaction with the final processing of your charge. However, you may be assured that your charge was processed in accordance with agency policies and procedures. The review of a Substantial Weight Review request includes an assessment of whether there is substantial new and relevant evidence, or a persuasive argument that the prior decision was contrary to the law or the facts. While we understand that the parties to a charge often have firm views that the available evidence supports their respective positions, our final actions must comport with our interpretations of the available evidence and the laws we enforce. Our review has determined that no appropriate evidence has been overlooked or misinterpreted in evaluating your charge. You will be issued her Notice of Right to Sue.

If you wish to pursue your claim further, you will have to do so by filing a lawsuit in federal court within 90 days of your receipt of the Notice of Right to Sue. If you do not file a lawsuit within the 90-day period, your right to sue in federal court will be lost and cannot be restored by EEOC.

We hope this information is helpful to you.

Sincerely,
Thomas M. Colclough
Acting District Director

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Dante' A. Murphy**
Po Box 475
Burgaw, NC 28425

From: **Charlotte District Office**
129 W. Trade Street
Suite 400
Charlotte, NC 28202



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

430-2019-02403

Sarah E. Strozeski,
State & Local Coordinator

(980) 296-1290

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred **more than 2 years (3 years)** before you file suit may not be collectible.

On behalf of the Commission

Sarah Strozeski

Digitally signed by Sarah Strozeski
 DN: cn=Sarah Strozeski, o=Equal Employment Opportunity
 Commission, ou=Federal Bureau of Investigation, email=sarah.strozeski@eop.gov, c=US
 Date: 2020.09.30 07:46:36 -0400

9/30/2020

Enclosures(s)

Thomas M. Colclough,
District Director

(Date Mailed)

cc: **CLEVELAND COUNTY DEPARTMENT OF SOCIAL
 SERVICES**

C/O Elliot Engstrom
Deputy County Attorney
P.O. Box 1210
Shelby, NC 28151